

Decision 02-11-058 November 21, 2002

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison
Company (U 338-E) for a Permit to
Construct Electrical Facilities with
Voltages between 50 kV and 200 kV.

Application 96-06-033
(Filed June 20, 1996)

DECISION DISMISSING APPLICATION

Southern California Edison Company (SCE) filed this application on June 20, 1996. The project at issue, known as the Lucerne Valley to Big Bear Valley Transmission Line and Substation Project, is proposed to serve SCE's wholesale customer, Southern California Water Company (SCWC), the public utility that provides service to the Big Bear community. No action has occurred in the case since the 1998 prehearing conference.

By letter dated September 20, 2002, SCE informed the Commission that SCE and SCWC are engaged in litigation concerning an Added Facilities Agreement that underlies the need for the project. SCE does not oppose dismissal of the application at this time.

Because of the litigation between the parties that impacts this application, we cannot proceed to a decision on the merits. Rather than letting the application remain open any longer, we dismiss without prejudice to future refiling once the parties have resolved the litigation underlying this project.

Comments on Draft Decision

The draft decision of the Administrative Law Judge (ALJ) in this matter was mailed to the parties in accordance with Public Utilities Code Section 311(g)(1) and Rule 77.7 of the Rules of Practice and Procedure. No comments were received.

Assignment of Proceeding

Geoffrey Brown is the Assigned Commissioner and Michelle Cooke is the assigned ALJ in this proceeding.

Findings of Fact

1. SCE and SCWC are engaged in litigation concerning an Added Facilities Agreement that underlies the need for the project.
2. Until the underlying dispute is resolved, we cannot proceed to a decision on the merits.

Conclusions of Law

1. No purpose would be served by keeping the application open at this time.
2. We should dismiss the application without prejudice.

O R D E R

IT IS ORDERED that:

1. This proceeding is dismissed without prejudice.
2. This proceeding is closed.

This order is effective today.

Dated November 21, 2002, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
CARL W. WOOD
MICHAEL R. PEEVEY
Commissioners

Commissioner Geoffrey F. Brown, being
necessarily absent, did not participate.